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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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04/26/2001

Casey William Norman

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1969

35811

7590

08/17/2006

IP GROUP OF DLA PIPER RUDNICK GRAY CARY US LLP  
1650 MARKET ST  
SUITE 4900  
PHILADELPHIA, PA 19103

EXAMINER

FRANCIS, FAYE

ART UNIT

PAPER NUMBER

3725

DATE MAILED: 08/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/844,322		NORMAN ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Faye Francis		3725	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 June 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 20-23, 25, 26 and 28-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-23, 25-26 and 28-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. In view of the appeal brief filed on 6/29/06, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 20-23, 25-26 and 28-51 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 21-22, 38 and 47 are indefinite since all that the applicant considers to be encompassed by the phrase "in a life-like way" cannot be determined.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 21-23, 25, 28 and 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gross [5,913,708] in view of Kramer [5,607,339].

Gross discloses in Fig 18, a garment [jumpsuit 180] comprising a flexible and elastic thermoplastic elastomer [col 17 lines 1-36] doll's garment having a molded shape to fit over external surfaces of at least a portion of a doll [Fig 18], has a through hole Gross does not disclose a doll's garment formed from a flexible sheet of polymer plastic material between 2mm and 6 mm in thickness and with modulus of elasticity of less than 1 MN/M2).

Kramer teaches the concept of providing a doll, a doll's garment (col 1 lines 51-57) formed from a flexible sheet of polymer plastic material between 2mm and 6 mm in thickness and with modulus of elasticity of less than 750 pound per square inch (less than 1 MN/M2). It would have been obvious to modify the doll's garment of Gross to have thickness and with modulus of elasticity as taught by Kramer to for greater flexibility.

With respect to the injection molded thermoplastic elastomer in claims 21-22, is considered to be process steps in product claims. Even though product-by-process claims are limited by and defined by the process, determination of patentability is based on the product itself. The patentability of a product does not depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even though the prior product was made by a different process." In re Thorpe, 777 F.2d 695, 698, 227 USPQ 964, 966 (Fed. Cir. 1985) [see MPEP 2113 regarding how product by process claims re treated in claims].

7. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gross in view of Kramer as applied to claims 21-23, 25, 28 and 30-34 above and further in view of Whitney et al [6,475,609], hereinafter Whitney.

Modified device of Gross has most of the elements of this claim but for a finish selected from the group consisting of paint, varnish, and glitter.

Whitney teaches that it is conventional to adhere glitter to the surface of or embedded in articles such as clothing to enhance their visual appearance [col 1 lines

Art Unit: 3725

42-45]. It would have been obvious, in view of Whitney to even further provide modified the doll's garment of Gross with glitter in order to enhance their visual appearance.

8. Claims 20, 29 and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gross in view of Kramer as applied to claims 21-23, 25, 28 and 30-34 above and further in view of Yasuda [5,928,803].

Modified device of Gross has most of the elements of these claims but for the specific thermoplastic elastomer material.

Yasuda discloses using the thermoplastic elastomer containing styrene (col 3 lines 18-54) in order to make clothes for dolls as the constituent element of dolls). It would have been obvious to further make the modified device of Gross out of thermoplastic elastomer-containing styrene as taught by Yasuda in order to give the device more flexibility.

9. Claims 38-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gross in view of Kramer and Yasuda.

Gross modified in view of Kramer discloses most of the elements of these claim but for the specific thermoplastic elastomer material.

Yasuda discloses using the thermoplastic elastomer containing styrene (col 3 lines 18-54) in order to make clothes for dolls as the constituent element of dolls). It would have been obvious to further make the modified device of Gross out of thermoplastic elastomer-containing styrene as taught by Yasuda in order to give the device more flexibility.

With respect to claim 46: it is generally well known to decorate garment with paint. Therefore, it would have been obvious to further modify the Gross 's device to have paint for aesthetic reasons.

10. Claims 21-23, 25, 28 and 30-34 are rejected under 35 U.S.C. 103(a) as being obvious over O'Brian et al [2,944,368], hereinafter O'Brian in view of Kramer and either Gross or Wion [4,294,036].

O'Brian discloses in Figs 1-7, a garment [blouse 30] comprising a flexible and elastic molded thermoplastic elastomer [col 3 lines 54-56 and col 4 line 58 and also **[[re-sil-ient** (rî-zîl'yent) *adjective* 1. Capable of returning to an original shape or position, as after having been compressed.] according to Merrian-Webster's Collegiate Dictionary Tenth Edition] doll's garment having a molded shape to fit over external surfaces of at least a portion of a doll [Fig 4], has a through hole [insofar as the applicant has claimed blouse 30 is considered to have a through hole [the opening for the neck for example]]. Additionally, please note that O'Brian start with a flat sheet of material, which is then formed into three-dimension article.

O'Brian does not disclose that doll having articulated limbs as recited in claim 21 and 22, a doll's garment formed from a flexible sheet of polymer plastic material between 2mm and 6 mm in thickness and with modulus of elasticity of less than 1 MN/M2).

Kramer teaches the concept of providing a doll, a doll's garment (col 1 lines 51-57) formed from a flexible sheet of polymer plastic material between 2mm and 6 mm in thickness and with modulus of elasticity of less than 750 pound per square inch (less

than 1 MN/M2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the doll's garment of O'Brian to have thickness and with modulus of elasticity as taught by Kramer to provide more flexibility.

Either Gross or Wion teaches that it is conventional to have articulated shoulders, elbows, knees, neck, and hips in a play set comprising a doll and a doll's garment or in a planar doll [two dimensional]. It would have been obvious to further provide the modified device of O'Brian with the articulated doll as disclosed by either Gross or Wion, for the purpose of making the device more realistic and enjoyable for the children to play with.

With respect to the injection molded thermoplastic elastomer in claims 21-22, is considered to be process steps in product claims. Even though product-by-process claims are limited by and defined by the process, determination of patentability is based on the product itself. The patentability of a product does not depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even though the prior product was made by a different process." In re Thorpe, 777 F.2d 695, 698, 227 USPQ 964, 966 (Fed. Cir. 1985) [see MPEP 2113 regarding how product by process claims are treated in claims].

11. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brian et al in view of Kramer and either Gross or Wion as applied to claims 21-23, 25, 28 and 30-34 above and further in view of Whitney et al [6,475,609], hereinafter Whitney.



Modified device of O'Brian has most of the elements of this claim but for a finish selected from the group consisting of paint, varnish, and glitter.

Whitney teaches that it is conventional to adhere glitter to the surface of or embedded in articles such as clothing to enhance their visual appearance [col 1 lines 42-45]. It would have been obvious, in view of Whitney to even further provide modified the doll's garment of O'Brian with glitter in order to enhance their visual appearance.

12. Claims 20, 29 and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brian et al in view of Kramer and either Gross or Wion as applied to claims 21-23, 25, 28 and 30-34 above and further in view of Yasuda [5,928,803].

Modified device of O'Brian has most of the elements of these claims but for the specific thermoplastic elastomer material.

Yasuda discloses using the thermoplastic elastomer containing styrene (col 3 lines 18-54) in order to make clothes for dolls as the constituent element of dolls). It would have been obvious to further make the modified device of O'Brian out of thermoplastic elastomer-containing styrene as taught by Yasuda in order to give the device more flexibility.

13. Claims 38-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Brian in view of Kramer, Yasuda and either Gross or Wion.

O'Brian modified in view of Kramer discloses most of the elements of these claim [see paragraph 5 above] but for the specific thermoplastic elastomer material and that doll having articulated limbs.

Yasuda discloses using the thermoplastic elastomer containing styrene (col 3 lines 18-54) in order to make clothes for dolls as the constituent element of dolls). It would have been obvious to further make the modified device of O'Brian out of thermoplastic elastomer-containing styrene as taught by Yasuda in order to give the device more flexibility. Either Gross or Wion teaches that it is conventional to have articulated shoulders, elbows, knees, neck, and hips in a play set comprising a doll and a doll's garment or in a planar doll [two dimensional]. It would have been obvious to further provide the modified device of O'Brian with the articulated doll as disclosed by either Gross or Wion, for the purpose of making the device more realistic and enjoyable for the children to play with.

With respect to claim 46: it is generally well known to decorate garment with paint. Therefore, it would have been obvious to further modify the O'Brian 's device to have paint for aesthetic reasons.

14. Claims 21-23, 25-26, 28, 30-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kramer in view of O'Brian et al, hereinafter O'Brian and either Gross or Wion.

Kramer discloses most of the elements of these claims including a doll, a doll's garment (col 1 lines 51-57) formed from a flexible sheet of polymer plastic material between 2mm and 6 mm in thickness and with modulus of elasticity of less than 750 pound per square inch (less than 1 MN/M) and the doll's garment has a shape to fit over the external surfaces of at least a portion of the doll.

Kramer does not disclose that the doll's garment has a through hole, an elastic injection molded thermoplastic elastomer doll's garment and doll having articulated limbs as recited in claim 21 and 22, a finish selected from the group consisting of paint, varnish, and glitter as recited in claim 26, the garment is less than 8 cm in height as recited in claim 28 and a play set comprising a doll wherein the doll is articulated at a joint selected from the group consisting of the shoulders, elbows, knees, neck, and hips as recited in claim 34.

With respect to the doll's garment has a through hole to accommodate passage of a doll's head or limb(s), it is well known to make doll clothes that simulate real life, it would have been obvious to construct the doll clothing of Kramer such that it has a through hole for the head/limbs of the doll.

O'Brian in at least in some of the embodiment such as Figs 2 and 3 teaches the concept of providing an elastic injection molded thermoplastic elastomer [col 4 line 58 and also [[**re-sil-ient** (rî-zîl'yent) *adjective* 1. Capable of returning to an original shape or position, as after having been compressed.] according to Merrian-Webster's Collegiate Dictionary Tenth Edition] and (col 3 lines 54-56)] doll's garment. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching of the injection molded thermoplastic elastomer of O'Brian with the doll's garment of Kramer for aesthetic reasons and to provide more flexibility.

Either Gross or Wion teaches that it is conventional to have articulated shoulders, elbows, knees, neck, and hips in a play set comprising a doll and a doll's garment or in a planar doll [two dimensional]. It would have been obvious to further

provide the modified device of Kramer with the articulated doll as disclosed by either Gross or Wion, for the purpose of making the device more enjoyable for the children to play with.

With respect to claim 26: it is generally well known to decorate garment with glitter or paint. Therefore, it would have been obvious to further modify the Kramer's device to have glitter or paint for aesthetic reasons or as a matter of obvious design choice.

With respect to claim 28, it would have been obvious to further provide the garment of Kramer in the claimed height for the purpose of making the devices easier to play with and to accommodate for small dolls.

15. Claims 20, 29 and 35-37 are ejected under 35 U.S.C. 103(a) as being unpatentable over Kramer in view of O'Brian and either Gross or Wion as applied to claims 21-23, 25-28, 30-34 and further in view of Yasuda.

Modified device of Kramer has most of the elements of these claims but for the specific thermoplastic elastomer material.

Yasuda discloses using the thermoplastic elastomer containing styrene (col 3 lines 18-54) in order to make clothes for dolls as the constituent element of dolls). It would have been obvious to make the modified device of Kramer out of thermoplastic elastomer-containing styrene as taught by Yasuda in order to give the device more flexibility.

16. Claims 38-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kramer in view of O'Brian, Yasuda and either Gross or Wion.

Kramer discloses most of the elements of these claims including a doll, a doll's garment (col 1 lines 51-57) formed from a flexible sheet of polymer plastic material between 2mm and 6 mm in thickness and with modulus of elasticity of less than 750 pound per square inch (less than 1 MN/M<sup>2</sup>).

Kramer does not disclose that the doll's garment has a through hole, an injection molded thermoplastic elastomer doll's garment, the specific thermoplastic elastomer material, a play set comprising a doll and a doll's garments wherein doll is articulated at elbows and knees as recited in claims 38 and 47. Additionally, Kramer does not disclose a finish selected from the group consisting of paint, varnish, and glitter as recited in claim 46.

With respect to the doll's garment has a through hole to accommodate passage of a doll's head or limb(s), it is well known to make doll clothes that simulate real life, it would have been obvious to construct the doll clothing of Kramer such that it has a through hole for the head/limbs of the doll.

O'Brian in at least some of the embodiment such as Figs 2 and 3 teaches the concept of providing injection molded thermoplastic elastomer (col 3 lines 54-56) doll's garment. It would have been obvious to use the teaching of the injection molded thermoplastic elastomer of O'Brian with the doll's garment of Kramer for aesthetic reasons and to provide more flexibility.

Yasuda discloses using the thermoplastic elastomer containing styrene (col 3 lines 18-54) in order to make clothes for dolls (as the constituent element of dolls). It would have been obvious to further make the device of Kramer out of thermoplastic

elastomer-containing styrene as taught by Yasuda in order to give the device more flexibility.

With respect to claim 46: it is generally well known to decorate garment with glitter or paint. Therefore, it would have been obvious to further modify the Kramer's device to have glitter or paint for aesthetic reasons or as a matter of obvious design choice.

Either Gross or Wion teaches that it is conventional to have articulated shoulders, elbows, knees, neck, and hips in a play set comprising a doll and a doll's garment or in a planar doll [two dimensional]. It would have been obvious to further provide the modified device of Kramer with the articulated doll as disclosed by either Gross or Wion, for the purpose of making the device more enjoyable for the children to play with.

### ***Response to Arguments***

18. Applicant's arguments filed 6/29/06 have been fully considered but they are not persuasive.

In response to applicant's argument in page 6 that the rejection under 112 second paragraph was baseless and untimely, the examiner would like to point out that there is nothing in the Rules preventing the examiner to make a rejection after a filing of an appeal brief. What is required is that a rejection can be filed at any time during a prosecution as long as the applicant is given the proper time to respond which in this case the examiner has done by issuing a non final action on 3/28/06. Therefore, in this case, upon further review by the examiner it was determined that the claim language

was not clear since although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.

In response to applicant's argument in page 8 that "snapping" action is a completely different mechanism to achieve positioning of clothing relative to the doll or a doll-like shape as compared to Kramer or as compared to the rejected claims., the examiner would like to point out that Kramer reference was only applied to show a doll's garment formed from a flexible sheet of polymer plastic material between 2 mm and 6 mm in thickness and with modulus of elasticity of less than 1 MN/M2.

In response to applicant's argument in page13 that one of ordinary skill in the art would have utterly no incentive or motivation to combine O'Brian with Kramer. The examiner recognizes that references cannot be arbitrarily combined and that there must be some reason why one skilled in the art would be motivated to make the proposed combination of primary and secondary references. In re Nomiya, 184 USPQ 607 (CCPA 1975). However, there is no requirement that a motivation to make the modification be expressly articulated. The test for combining references is what the combination of disclosures taken as a whole would suggest to one of ordinary skill in the art. In re Simon, 174 USPQ 1 14 (CCPA 1972)., In re McLaughlin, 170 USPQ 209 (CCPA 1971). References are evaluated by what they suggest to one versed in the art, rather than by their specific disclosures. In re Bozek, 163 USPQ 545 (CCPA 1969). The question under 35 USC j103 is not merely what the references expressly teach but what they would have suggested to one of ordinary skill in the art at the time the invention was made. See Merck & Co., Inc. v. Biocraft Laboratories, Inc., 874 F.2d

Art Unit: 3725

804, 10 USPQZd 1843 (Fed. Cir. 1989) and *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). While there must be some suggestion or motivation for one of ordinary skill in the art to combine the teachings of references, it is not necessary that such be found within the four corners of the references themselves', a conclusion of obviousness may be made from common knowledge and common sense of the person of ordinary skill in the art without any specific hint or suggestion in a particular reference. See *In re Bozek*, 416 F.2d 1385, 163 USPQ 545 (CCPA 1969). j

As long as some motivation or suggestion to combine the references is provided by the prior art taken as a whole, the law does not require that the references be combined for the reasons contemplated by the inventor. *In re Beattie*, 974 F.2d 1309, 24 USPQZd 1040 (Fed. Cir. 1992)', *In re Dillon*, 919 F.2d 688, 16 USPQZd 1897, 1905 (Fed. Cir. 1990)., *In re Kronig*, 539 F.2d 1300, 190 USPQ 425 (CCPA 1976)', *In re Wilder*, 429 F.2d 447, 166 USPQ 545 (CCPA 1970).

In this case, the artisan would have been motivated to use the teaching of the injection molded thermoplastic elastomer of O'Brian with the doll's garment of Kramer for aesthetic reasons and to provide more flexibility. Also, to further modify the Kramer's device to have glitter or paint for aesthetic reasons or as a matter of obvious design choice.

In response to applicant's argument on pages 13 regarding that Yasuda refers to injection molded resin layers which are laminated with other films to form a resulting resin molded article when the Applicants' garments are actually injection molded thermoplastic elastomer and that one of ordinary skill in the art would have no



Art Unit: 3725

comprehension as to whether the laminate (not the layers) is elastic as claimed.

Examiner disagrees, since the applicant claims that the garment made out of specific thermoplastic elastomer are in fact elastic and since the Yasuda refers discloses the layers which together forms the laminated layer that is made out of the same material as claimed, the layers forming the laminate are elastic.

In response to applicant's argument in page 12, that applicant's injection molded thermoplastic elastomer garments are seamless, which is inherently not the case in Yasuda by virtue of the fact that the Yasuda figures which illustrate the inherently resulting seams associated with laminating multiple layers together. The examiner would like to point out the nothing in the specification taught that the word "seamless" encompassed no laminated as already noted and shown by applicant's remark. Furthermore, since the word "seamless" was not in the original disclosure as filed and it is not going to be allowed in (New Matter).

### ***Conclusion***

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faye Francis whose telephone number is 571-272-4423. The examiner can normally be reached on M-F 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 571-272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3725

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FF



Faye Francis  
Primary Examiner  
Art Unit 3725